U.S. DEPARTMENT OF ENERGY

NEVADA OPERATIONS OFFICE

CHANGE

NV
1240.2B

12-13-93

Subject: UNCLASSIFIED VISITS AND ASSIGNMENTS BY FOREIGN NATIONALS

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1. EXPLANATION OF CHANGE. Changes made to reflect organizatinal titles and routing symbols in the DOE Order, constituted a revision to this Order for conformity.

2. FILING INSTRUCTIONS.

   a. Please file the attached immediately following DOE Order 1240.2B in your DOE and NV Directives Manual.

   b. Remove NV Order 1240.2A, of 10-6-92, which has been canceled by this Order.

   c. Pen and ink your Directives Checklist to reflect these changes.

Nick C. Aquilina
Manager

U.S. DEPARTMENT OF ENERGY

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ORDER

NV
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Subject: UNCLASSIFIED VISITS AND ASSIGNMENTS BY FOREIGN NATIONALS

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1. PURPOSE. This Order supplements and is to be used in conjunction with DOE Order 1240.2B, UNCLASSIFIED VISITS AND ASSIGNMENTS BY FOREIGN NATIONALS, of 8-21-92; and Change 1, of 9-3-92. It provides additional DOE Nevada Operations Office (DOE/NV) policies and procedures for the implementation of Departmental directives. This supplemental directive does not change any requirement of the DOE Order but contains administrative or contractual guidance for DOE/NV.

2. CANCELLATION. NV Order 1240.2A, VISITS AND ASSIGNMENTS BY FOREIGN NATIONALS, of 10-6-92.

3. SCOPE. The provisions of this Order apply to all DOE/NV organizational elements, DOE/NV contractors and subcontractors, and associated agencies.

4. EXCLUSIONS. Tours and other special unclassified public affairs events which involve students and teachers who are foreign nationals may be exempt from the processing requirements of DOE Order 1240.2B under the following circumstances:

   a. All the foreign nationals involved must be residents of the United States (U.S.).

   b. The activity must involve students and teachers within the U.S. secondary schools or lower.

INITIATED BY:
Office of External Affairs

c. The exception must be approved by a DOE official, either the DOE/NV Manager or his designee, or the Director of Security Affairs (SA-1), as appropriate. Established access procedures for granting admission to DOE/NV facilities will be observed, and established security procedures will be followed. No access to security facilities will be permitted.

5. REFERENCES. See Attachment 1 of DOE Order 1240.2B and this Order.

6. DEFINITIONS.

p. Sensitive Country.

(3) A foreign national classified as a national of a sensitive country may be considered to be a national of a nonsensitive country if all of the following are true:

(a) The foreign national currently is a citizen of a nonsensitive country and has been a citizen of a nonsensitive country for at least 10 years.

(b) The foreign national spent only his/her preteen years as a resident or citizen of a sensitive country.

(c) The foreign national has no close relatives (mother, father, children, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law) who are residents of a sensitive country.

7. POLICIES AND STANDARDS.

c. Security Policy.

(11) Requests for all visits or assignments by foreign nationals to have access to DOE/NV facilities where security interests exist or where access is controlled, must be approved prior to the visits/assignments in accordance with the requirements of DOE Order 1240.2B and this Order.

(12) Foreign nationals visiting the Nevada Test Site (NTS) are not permitted to remain on the NTS overnight without specific approval of the:

(a) Director, DOE/NV Safeguards and Security Division (SSD).

(b) Chief, Safeguards and NTS Security Branch.

(c) Key Staff delegated authority for deviations.

(13) Foreign nationals must be escorted at all times during visits or assignments to DOE/NV facilities where security interests exist or where access is controlled. The escort will be an individual cleared at the security level commensurate with requirements for access to the facility. However, in no case shall the escort for a foreign national possess less than a DOE "L" access authorization or "Secret" clearance granted by another Federal agency.

(14) An exception from DOE Order 1240.2B administrative procedures and security requirements has been granted for visits by foreign nationals to the Yucca Mountain Site Characterization Project (YMP) at Area 25 at the NTS. Access controls for these visits are governed by the SSD approved "Standard Security Plan for the Yucca Mountain Site Characterization Project (YMP) in Area 25," of 10-29-92, or subsequent revision.

8. RESPONSIBILITIES AND AUTHORITIES.

g. Director, Office of External Affairs (OEA).

(1) Ensures the establishment of a DOE/NV visits and assignments program; and develops procedures for implementing DOE Order 1240.2B and this Order, in accordance with guidance provided by Program Secretarial Officers (PSO), Assistant Secretary for Domestic and International Energy Policy (EP-1),

SA-1, and the Director of Arms Control and Nonproliferation (AN-1).

(2) Manages visits and assignments by foreign nationals to facilities under DOE/NV jurisdiction in accordance with DOE Order 1240.2B and this Order.

(3) Obtains Director, Office of International Research/Development Policy (EP-70) concurrence for high-level or protocol visits.

(4) Ensures that appropriate information relevant to visits and assignments is provided to relevant DOE Headquarters (DOE/HQ) offices in a timely manner through the DOE/HQ maintained data base (Visits and Assignments Management System (VAMS)).

(5) Ensures that timely guidance concerning DOE/NV visit and assignment policies, limitations, and restrictions, general or specific, is appropriately developed and disseminated among concerned facilities and personnel under DOE/NV jurisdiction, and provides copies of such guidance to EP-70 and the cognizant program offices, other than guidance relative to particular visits and assignments.

(6) Establishes, in conjunction with SSD, training programs for appropriate personnel of facilities under DOE/NV jurisdiction to ensure their awareness of and to meet the programmatic and security objectives of the visits and assignments program.

(7) When required, initiates indices checks on proposed visitors or assignees, and submits requests for waiver of the requirement for a completed indices check on a case-by-case basis through the Director, SSD, to the Office of Counterintelligence (IN-20).

(8) Consults relevant DOE/HQ offices for guidance concerning foreign policy and programmatic aspects of visits or assignments.

(9) Prior to the commencement of a visit or assignment requiring a specific security plan, ensures that an information copy of such plan has been received by the Director, SA-1.

(10) Ensures that required host reports are submitted to DOE/HQ and DOE/NV elements.

(11) Provides to EP-70, in writing, the name, title, and telephone number of a single point of contact within DOE/NV who will coordinate the actions related to visits and assignments within DOE/NV facilities, and who can provide a consolidated organizational position on each request.

(12) Receives and reviews completed DOE Form IA-473, "Request for Foreign National Unclassified Visit or Assignment," and associated specific security plan, when required, for all proposed unclassified visits and assignments by foreign nationals to DOE/NV facilities, including YMP in Area 25.

(13) May complete Form IA-473 when a request for an unclassified foreign national visit or assignment is received in a format other than the required form.

(14) Recommends approval or disapproval of proposed visits and assignments to DOE/NV facilities.

(15) Coordinates unclassified visits and assignments by foreign nationals to DOE/NV facilities with the requesting organization to ensure that requirements of DOE Order 1240.2B and this Order are met.

(16) Notifies the requesting organization of approval or disapproval of proposed visits and assignments, and provides a copy of approved specific security plan to requesting organization for implementation.

(17) Arranges local hosting, escorts as required, and support services; prepares and distributes visit itineraries and other information to concerned organizations; and handles other administrative matters related to such visit.

(18) Ensures data related to the DOE/NV foreign national visits and assignments program is entered into the DOE/HQ maintained data base (VAMS).

(19) Provides overall administration for the local programs; advises and assists DOE/NV organizations on proper interpretation and application of the policies in DOE Order 1240.2B and this Order.

(20) Evaluates data provided for a proposed visit or assignment by a foreign national to determine if the visitor may be considered a national of a nonsensitive country instead of a sensitive country. Evaluation is based on criteria identified in paragraph 6p of DOE Order 1240.2B and this Order.

(21) Evaluates data provided for a proposed visit by a foreign national student or teacher to determine if the visitor is exempt from the processing requirement of DOE Order 1240.2B. Evaluation is based on criteria identified in paragraph 4 of DOE Order 1240.2B and this Order.

(22) Submits request for extension of assignments beyond a total period of 4 years to EP-70, for approval.

(23) Submits, 3 weeks before the start of the visit or assignment, requests for exceptions to security policy through the Director, SSD; the Assistant Manager for Environment, Safety, Security, and Health (AMESSH); and the DOE/NV Manager to SA-1, for approval.

h. Assistant Manager for Environment, Safety, Security, and Health. Provides overall management direction of the DOE/NV safeguards and security program.

i. Director, SSD.

(1) Approves or disapproves visits and assignments by foreign nationals to facilities under DOE/NV jurisdiction in accordance with DOE Order 1240.2B and this Order.

(2) Assists OEA in the establishment of training programs for appropriate personnel of facilities under DOE/NV jurisdiction, to ensure their awareness of and to meet the programmatic and security objectives of the visits and assignments program.

(3) Consults relevant DOE/HQ offices for guidance concerning security aspects of visits or assignments.

(4) Ensures the development of and reviews, approves, and oversees execution of appropriate security plans for the control of foreign nationals proposed for visits or assignments.

(5) For those facilities under DOE/NV jurisdiction currently designated or proposed to be designated as security facilities in which work on nonsensitive subjects is carried out and where unclassified visits and assignments would be

programmatically appropriate, requests review and concurrence by SA-1 and the cognizant PSO.

(6) For facilities under DOE/NV cognizance, compiles a descriptive listing of security facilities where unclassified visits or assignments can occur and provides such list annually on April 1 to EP-70; the Director, Policy, Standards and Analysis Division (SA-12); and the cognizant program offices.

(7) Conducts annual on-site reviews of sensitive facilities and periodic on-site reviews of nonsensitive facilities to ensure that the requirements of DOE Order 1240.2B and this Order are being fully implemented.

(8) Arranges for access to DOE/NV facilities through an access log and/or the preparation and issuance of a DOE/NV security badge.

(9) Provides the Director, OEA, a signed copy of Form IA-473 (approvals or disapprovals) and a copy of approved specific security plan (when required) for proposed visits and assignments to DOE/NV facilities.

(10) Ensures the waiver of the sensitive country factor is entered into the DOE/HQ maintained data base when sensitive country nationals meet the criteria to be classified as nonsensitive country nationals.

j. Project Manager, Yucca Mountain Site Characterization Project Office (YMPO).

(1) Receives and reviews completed Form IA-473 and associated specific security plan when required, for all proposed, unclassified visits and assignments by foreign nationals to YMP in Area 25.

(2) Completes Form IA-473 when a request for an unclassified, foreign national visit to YMP in Area 25 is received in a format other than the required form.

(3) Provides completed Form IA-473 and specific security plan (when required) for proposed visits and assignments to DOE/NV facilities (including YMP in Area 25) to the Director, OEA, in compliance with the time requirements addressed in paragraph 9c of DOE Order 1240.2B and this Order.

(4) Recommends approval or disapproval of proposed visits and assignments to the portion of Area 25 assigned to YMPO by the Management Agreement between DOE/NV and YMPO.

(5) Coordinates unclassified visits and assignments by foreign nationals to YMP in Area 25 with OEA to ensure that requirements of DOE Order 1240.2B and this Order are met; forwards completed Form IA-473 to OEA for processing.

(6) Notifies requesting organization of approval or disapproval of proposed visits and assignments to YMP in Area 25.

(7) Arranges local hosting, escorts as required, support services; prepares and distributes visit itineraries to OEA; and handles other administrative matters related to such visit to YMP in Area 25.

(8) Submits required host report to OEA by the seventh calendar day after the completion of the visit or assignment occurring at YMP in Area 25.

(9) Ensures personnel assigned to the YMP implement the SSD approved "Standard Security Plan for the Yucca

Mountain Site Characterization Project (YMP) in Area 25," of 10-29-92, or subsequent revision. (An exception from DOE Order 1240.2B administrative procedures and security requirements has been granted for visits by foreign nationals to the YMP work sites in Area 25.) Foreign citizens, whether from sensitive or nonsensitive countries, are granted access to YMP under provisions for an access-controlled (nonsensitive) facility.

(10) Ensures that DOE/YMPO employees and DOE/YMPO contractors and subcontractors under his jurisdiction comply with the provisions of paragraphs 8n and 8p, as appropriate.

k. Director, Contracts Division. For contracts under DOE/NV cognizance, ensures that contractual coverage implementing DOE Order 1240.2B and this Order is included when applicable.

l. DOE/NV Principal Staff.

(1) Ensure that personnel under their jurisdiction are informed of, and comply with, the requirements of DOE Order 1240.2B and this Order.

(2) Provide completed Form IA-473 and specific security plan (when required) for proposed visits and assignments to DOE/NV facilities to the Director, OEA, in compliance with the time requirements addressed in paragraph 9c of DOE Order 1240.2B and this Order.

(3) Ensure that the Director, SSD, has approved the proposed visit or assignment before personnel under their jurisdiction escort an uncleared foreign national into a DOE/NV facility where access controls exist and/or which has a security interest.

(4) Submit required host report to OEA by the seventh calendar day after the completion of the visit or assignment when an employee under their jurisdiction is host (escort).

m. DOE/NV Contractors and Subcontractors.

(1) Ensure that personnel under their jurisdiction are informed of, and comply with, the requirements of DOE Order 1240.2B, and this Order.

(2) Provide completed Form IA-473 and specific security plan (when required) for proposed visits and assignments to DOE/NV facilities to the Director, OEA, in compliance with the time requirements addressed in paragraph 9c of DOE Order 1240.2B and this Order.

(3) Ensure that the Director, SSD, has approved the proposed visit or assignment before personnel under their jurisdiction escort an uncleared foreign national into a DOE/NV facility where access controls exist and/or which has a security interest.

(4) Submit required host report to OEA by the seventh calendar day after the completion of the visit or assignment when an employee under their jurisdiction is host (escort).

n. Contracting Officers and Contracting Officer Representatives. Ensure that DOE/NV contractors and subcontractors under their jurisdiction comply with the provisions of paragraph 8m.

o. Contractor Security Officers. Review the list of DOE/NV security facilities where unclassified visits or assignments can occur, and provide an update to SSD by March 1 each year, validating the accuracy of the list for facilities under their jurisdiction.

p. DOE/NV and DOE/NV Contractor and Subcontractor Employees (Hosts and/or Escorts).

(1) Ensure that hostile contacts are reported to SSD as required by DOE Order 5631.1B. A hostile contact is any approach or contact by organizations or individuals of any nationality, including U.S. citizens, either within or outside the scope of the individuals' official activities, in which:

(a) Illegal or unauthorized access is sought to classified or sensitive information, technology, or special nuclear materials.

(b) The individual (escort/host) believes that he or she may be the target of an attempted exploitation by a foreign entity.

(2) Advise visitors that the DOE/NV security badge is the property of the U.S. Government and that it must be returned to the proper authorities upon completion of the visit at DOE/NV facilities; that retention of the badge after termination of its need may constitute illegal possession of Government property; and that vehicles and all visitors' personal effects, including luggage, lunch boxes, and briefcases are subject to search when entering, leaving, or within the boundaries of DOE/NV facilities.

(3) Take temporary control of optical instruments and photographic and recorder equipment belonging to visitors, when the escort is authorized possession and/or use of such equipment, and ensure strict conformance with DOE/NV security regulations concerning such equipment.

(4) Properly escort visitors within DOE/NV facilities.

(5) Ensure that all contacts within security areas are aware of the escorted visitors' uncleared status and obtain advanced concurrence of the person visited (or his/her representative) before escorting the visitors to that office/area.

(6) Prevent the visitor from obtaining access to classified or unauthorized sensitive subject information.

(7) Ensure that the assigned badge provided to the visitor is worn conspicuously on the upper portion of the body with the front of the badge facing outward, showing uncleared status.

(8) Ensure that visitors understand that they must remain under the escort's physical control and must comply with the instructions of the escort.

(9) Comply with the escort requirements and other security regulations for DOE/NV facilities unless deviation is approved by the Director, SSD.

(10) Ensure that the escort waits immediately outside the rest room in the corridor or in the common area of the rest room, as appropriate, when escorting an individual to the rest room in a security area.

(11) Keep all visitors participating in a group visit together unless request for an individual to separate from the group is approved by SSD and the individual is properly escorted and badged.

(12) Implement the approved specific security plan (when required) for foreign nationals or the provisions of the facility security plan for the facility being visited.

9. PROCEDURES AND REQUIREMENTS.

a. Origination and Processing. All visits and assignments to DOE/NV facilities where security interests exist or where access is controlled require the use of Form IA-473.

b. Requirement for Use of DOE Form IA-473. In addition to the information required by Form IA-473, DOE/NV requires the following:

(5) Residential address (for radiological purposes).

(6) Residential telephone number.

(7) U.S. Social Security number, if visitor possesses one (visitor is/was currently or previously employed in the U.S.).

(8) Date individual last visited any DOE facility, if applicable.

The information identified above will be noted in Item 52, "Remarks" section, on Form IA-473. (See Attachment 8, page 2.)

g. Security Plans. Specific security plans required for access to DOE/NV facilities shall address the visitor's/assignee's access (either positive or negative) to computer systems. Vulnerabilities associated with access to computer systems shall be noted in the plan.

REFERENCES

25. DOE 5631.1B, SECURITY EDUCATION BRIEFING AND AWARENESS PROGRAM, of 12-31-91, which establishes procedures for implementing a security education program for Department of Energy (DOE) employees and DOE consultants, contractors, subcontractors, and their consultants and access permittees in compliance with provisions for the Atomic Energy Act of 1954, as amended; Executive Order 12356, National Security Decision Directive 197; and Information Security Oversight Office Directive Number 1.

26. DOE Office of the Under Secretary memorandum, "Security Implementation Guidance: DOE Order 1240.2A, Unclassified Visits and Assignments by Foreign Nationals," of 6-28-90.

27. DOE Office of International Research and Development Policy memorandum, "Use of Revised Form 473 for VAMS," of 1-9-92.

REQUEST FOR FOREIGN NATIONAL UNCLASSIFIED VISIT OR ASSIGNMENT

REQUEST FOR FOREIGN NATIONAL UNCLASSIFIED VISIT OR ASSIGNMENT
(Continued)

REQUEST FOR FOREIGN NATIONAL UNCLASSIFIED VISIT OR ASSIGNMENT
(Continued)

ADDITIONAL GUIDANCE ON COMPLETION AND HANDLING OF FORM IA-473

ADDITIONAL GUIDANCE ON COMPLETION AND HANDLING OF FORM IA-473
(Continued)